REMARKS

This Application has been carefully reviewed in light of the Office Action mailed March 8, 2004. In order to advance prosecution of this Application, Claims 1, 5, 6, and 9 have been amended. Applicant respectfully requests reconsideration and favorable action for this Application.

Claims 1-3 and 5-7 stand rejected under 35 U.S.C. §102(e) as being anticipated by Trull. With respect to Independent Claim 1, there is recited ". . . if lower order queue locations are available, moving all higher order queue location contents to an adjacent lower order queue location per cycle until all lower order locations are filled . . ." By contrast, the Trull patent moves contents of particular higher order queue locations to non-adjacent lower order queue locations. Thus, the Trull patent does not move all higher order queue location contents to an adjacent lower order queue location as required by the claimed invention. With respect to Independent Claim 5, there is recited ". . . a plurality of 2:1 multiplexers interposed between said registers such that one multiplexer is interposed between a higher order register and an adjacent lower order register . . ." By contrast, the Trull patent merely shows 2:1 multiplexers disposed between rows of storage locations in an instruction queue so that the contents of one location can be placed three locations away. Thus, the Trull patent does not use 2:1 multiplexers to move register contents from a higher order register to an adjacent lower order register as required by the claimed invention. Support for the above recitation can be found at page 12, lines 11-17, of Applicant's specification. Therefore, Applicant respectfully submits that Claims 1-3 and 5-7 are not anticipated by the Trull patent.

Claim 4 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Trull in view of Garcia, et al. Independent Claim 1, from which Claim 4 depends, has been shown above to be patentably distinct from the Trull patent. Moreover, the Garcia, et al. patent does not include any additional disclosure combinable with the Trull patent that would be material to patentability of these claims. Therefore, Applicant respectfully submits that Claim 4 is patentably distinct from the proposed Trull - Garcia, et al. combination.

Claim 8 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Trull in view of In re Yount. Independent Claim 5, from which Claim 8 depends, has been shown above to be patentably distinct from the Trull patent. Therefore, Applicant respectfully submits that Claim 8 is patentably distinct from the Trull patent.

Claims 9-14 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Meyers, et al. in view of Trull. Independent Claim 9 recites ". . . collapsing the arbitration queue by bringing all higher order entries into adjacent lower order locations in the queue to fill the idle location . . ." The Examiner readily admits that the Meyers, et al. patent fails to teach a collapsible arbitration queue. The Examiner cites the Trull patent to support a collapsible queue. However, the Trull patent moves particular contents of higher order queue locations to non-adjacent lower order queue locations. Thus, the Trull patent does not move all higher order entries to adjacent lower order locations as required by the claimed invention. Support for the above recitation can be found at page 12, lines 11-17, of Applicant's specification. Therefore, Applicant respectfully submits that Claims 9-14 are patentably distinct from the proposed Meyers, et al. - Trull combination.

Claim 15 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Meyers, et al. in view of Trull and further in view of In re Yount. Independent Claim 12, from which Claim 15 depends, has been shown above to be patentably distinct from the proposed Meyers, et al. Trull combination. Therefore, Applicant respectfully submits that Claim 15 is patentably distinct from the proposed Meyers, et al. - Trull combination.

Attached herewith for consideration by the Examiner is an Information Disclosure Statement with a check made out to the "Commissioner of Patents and Trademarks" in an amount of $180.00 to satisfy the fee of 37 C.F.R. §1.17(p).

CONCLUSION

Applicant has now made an earnest attempt to place this case in condition for immediate allowance. For the foregoing reasons and for other apparent reasons, Applicant respectfully requests allowance of all pending claims.

No additional fee is believed to be due. However, the Commissioner is hereby authorized to charge any fees and/or credit any overpayments to Deposit Account No. 02-0384 of BAKER BOTTS L.L.P.

Respectfully submitted,
BAKER BOTTS L.L.P.
Attorneys for Applicant

Charles S. Fish
Reg. No. 35,870

June 8, 2004

Correspondence Address:
2001 Ross Avenue, Suite 600
Dallas, Texas 75201-2980
Phone: (214) 953-6507
Customer Number: 05073